

15. **Although the response to question 27 indicates that floodplain and pipeline crossings of the 100-year nontidal floodplain and wetland boundaries have been included in the drawings, MDE notes that this information is still incomplete inasmuch as the response states, "...upon completion of additional survey activities and final design, AES will update the alignment sheets and will include the line denoting the edge of 100-year nontidal floodplains, 25-foot nontidal wetland buffers and 100-foot buffers utilized for Nontidal Wetlands of Special State Concern (NWSSC)."**

The response also notes that Table 2.5-1 (Attachment 36 to the response) has been revised to include impacts to nontidal wetland buffers regulated by the State. Table 2.5-1 included in the response does not include impacts to nontidal wetland buffers.

Response:

As noted in the response to Comment 27 of MDE's May 7, 2007 Data Request, and per the conference call with MDE representatives on May 23, 2007, upon completion of additional survey activities and final design, AES will update the alignment sheets and will include the line denoting the edge of 100-year nontidal floodplains, 25-foot non-tidal wetland buffers, and 100-foot buffers utilized for Nontidal Wetlands of Special State Concern (NWSSC). While AES has performed field surveys on properties accounting for approximately 81 percent of the Pipeline Route, access has not been granted by all property owners; therefore, on-ground mapping of the Pipeline Route and wetland/water body resources for some properties has been completed using remote resources (aerial photography, GIS, property ownership information in public files, etc.). Assuming FERC approves the Project and issues a certificate of public convenience and necessity, AES will complete land owner agreements and obtain access to the properties at that time, the impacts to wetlands and water body areas will be refined and resubmitted to the MDE and the ACOE, and the appropriate mitigation measures will be updated as appropriate. AES will continue to work with MDE to review Project impacts from the data currently available and to develop an appropriate mitigation strategy.

AES notes that Table 2.5-1 included as part of Attachment 36 to the responses to MDE's May 7, 2007 Data Request was not updated correctly. The correct table, which includes impacts to Maryland 25 foot. non-Tidal Wetland Buffer and 100 foot buffer for NWSSC, is included as MDE Attachment 15 to this response.